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Security Council

Seventy-first year

Provisional

7666th meeting
Wednesday, 6 April 2016, 10 a.m.
New York

President:	Mr. Liu Jieyi	(China)
Members:	Angola	Mr. Lucas
	Egypt	Mr. Aboulatta
	France	Mr. Bertoux
	Japan	Mr. Yoshikawa
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Van Bohemen
	Russian Federation	Mr. Iliichev
	Senegal	Mr. Barro
	Spain	Mr. González de Linares Palou
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Mr. Pressman
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2016/268)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2016/268)

The President (*spoke in Chinese*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2016/268, which contains the report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur.

I now give the floor to Mr. Ladsous.

Mr. Ladsous (*spoke in French*): I thank you, Mr. President, for this new opportunity to brief the Security Council on the situation in Darfur and the activities of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). The report of the Secretary-General (S/2016/268), which you have before you, Sir, provides an update and analysis of the political and security situation in Darfur. The report also charts the operational context in which UNAMID is currently functioning, as well as the activities being carried out by the mission within the framework of the implementation of its mandate. I would like to limit my remarks today to a few key points of this report, while also addressing some of the major developments that have occurred since its publication last month.

Since my previous briefing to the Council (see S/PV.7608), on 25 January 2016, the security situation in Darfur has essentially been marked by fighting between Government forces and those of the Sudan Liberation Army/Abdul Wahid (SLA-Abdul Wahid) in the Jebel Marra region, which straddles three States of Darfur — North Darfur, Central Darfur and South Darfur. The fighting, whose warning signs and preparations were visible at the end of the rainy season last year, in October, intensified in mid-January this year following an apparent ambush by SLA-Abdul Wahid rebels against a convoy of Government forces in early January. In response to the attack, the Sudanese Government launched a large-scale — it must be said — military operation against rebel positions across the entire Jebel Marra region.

(*spoke in French*)

In late February, the Government announced that the military operation had been a success and made possible the dismantling of most of the bases of the Sudan Liberation Army/Abdul Wahid, the surrender of hundreds of its fighters and some of its military leaders and the taking of control by Government forces of the Jebel Marra region, with the exception of some residual pockets of resistance. For its part, the Sudan Liberation Army/Abdul Wahid contradicted that assessment and stated that its forces had repelled the Government offensive and that it continued to maintain a strong presence in Jebel Marra.

As noted in the report, it is difficult for us, at this stage, to establish an objective assessment of the fighting because of access restrictions imposed on UNAMID in Jebel Marra. However, from various sources of information we have received confirming this, what we can say at present is that clashes and air strikes are continuing. For instance, fighting was still reported to be taking place on 11 March in various localities north of Kass, South Darfur. Additional fighting took place Sorong, Central Darfur, on 17 and 23 March, as well as in Kadingo and Kwila on 19 March. We continue to receive reports of Government troop reinforcements in Golo and Guldo, Central Darfur, which by all accounts is the epicentre of clashes.

(*spoke in English*)

The security situation in other parts of Darfur remained fragile, with underlying tensions among and between local tribes over access to, the use and the management of land, water and other resources, leading to persistent outbreaks of intercommunal conflict despite the measures taken by the local authorities to contain the clashes. UNAMID continues to support the efforts by the Government to mediate these conflicts and consistently advocates for comprehensive measures that seek to address their root causes. But the

proliferation of small arms and the presence of various militia groups have meant an increase in criminality and various types of banditry against civilians. In spite of some improvements, the general weakness of the rule of law across Darfur results in such violations largely going unpunished.

The escalation of fighting in Jebel Marra has led to large-scale displacement, especially from mid-January to late March. Humanitarian organizations estimate that, as of 31 March, at least 138,000 people from Jebel Marra had been newly displaced in North, Central and South Darfur. Due to the access restrictions imposed by the Government, the exact number of civilian casualties from the recent wave of belligerence cannot yet be ascertained. Those restrictions, particularly in Central Darfur, have further prevented UNAMID and humanitarian actors from responding to needs of the displaced for protection and humanitarian support.

Despite the volatile security situation and the considerable challenges described in the report, UNAMID has remained steadfast in the implementation of its strategic priorities and in addressing key challenges to the implementation of its mandate. With the new outbreak of fighting in Jebel Marra, the mission has focused its efforts on ensuring the protection of civilians and the displaced. In that regard, UNAMID has established protective areas near displacement sites in Sortony, Kabkabiya, Tawila and Nertiti, where a total of approximately 103,000 persons have sought refuge. That led UNAMID to reinforce its military and police presence in the area and to intensify day-and-night patrols in order to maintain security and law and order. The mission has further been supporting the coordination of, and provided security and logistical support for, the delivery of humanitarian assistance, while also engaging the parties to immediately cease hostilities and for the Government to allow immediate, full and unhindered access.

Concurrent to that volatile security environment, the political process to settle the Darfur conflict remains polarized. The referendum on the administrative status of Darfur — to determine whether Darfur would become a single region or retain the current five subregional divisions as provided by the Doha Document for Peace in Darfur — is scheduled to take place from 11 to 13 April. The criteria for voter eligibility have proved to be controversial, as many stakeholders argue that all Darfuris should be allowed to participate in the voting. Some Sudanese political parties participating in the National Dialogue Conference in Khartoum have also expressed concern about what they describe as the unsuitable timing of the process given the current fighting and the additional displacement in Jebel Marra.

Despite several meetings that took place under the auspices of the African Union High-level Implementation Panel, progress in political efforts to reach a sustainable resolution of the conflict through inclusive dialogue remained elusive. While the SLA-Abdul Wahid rejected the talks with the Government, the recent informal meetings between the Government and the Justice and equality Movement-Gibril Ibrahim and the Sudan Liberation Army/Minni Minawi in Debre Zeit, Ethiopia, ended without an agreement. Following strategic consultations in Addis Ababa on 21 March on the cessation of hostilities in Darfur and the two Areas and on the way forward on the national dialogue, the Government signed a draft road map presented by the High-level Implementation Panel, while the representatives of the opposition refused and asked for more time, arguing that the road map endorsed the non-inclusive national dialogue taking place by qualifying it as "national". On 28 March, the Secretary-General welcomed the road map, which would constitute a valuable step towards ending the war, provide assistance to communities in need and enhance the environment for an inclusive national dialogue. Furthermore, the Secretary-General called on the Government to fully abide by the road map and urged the other parties to sign it as well.

Let me now turn briefly to the relationship between UNAMID and the Government of the Sudan. I would like to highlight the importance of a renewed partnership in that context. Since their arrival in the Sudan, both the Joint Special Representative and his Deputy have actively engaged with the Sudanese authorities, who have indicated their readiness to improve cooperation with the mission and to re-engage in discussions on the exit strategy.

On 22 March here in New York, the United Nations, the African Union and the Government of the Sudan held a strategic tripartite meeting, which I co-chaired with the African Union Commissioner for Peace and Security, Mr. Smail Chergui, and the Under-Secretary of the Foreign Ministry of the Sudan, Mr. Abd Elghani Elnaiem Awad Elkarim. In accordance with the outcome of the meeting, concrete steps by the Government are required in terms of lifting restrictions on the mission's operations, including customs clearances, visas and

access to Darfur overall, including conflict areas. I can report that some significant steps have been taken by the Government of the Sudan since then.

Next week, the African Union, the United Nations and the Government of the Sudan will resume their engagement on the exit strategy based on the parameters set by the Security Council and by the African Union Peace and Security Council. A critical step in that process will be the development of agreed criteria for measuring progress towards UNAMID's benchmarks as defined by resolution 2228 (2015) and the communiqués of the African Union Peace and Security Council of 22 June and 31 July 2015.

It is important that the members of the Council impress upon all the parties to the conflict in Darfur that a political solution remains the only viable option. The pursuit of political objectives through military means over the past decade has only contributed to the prolonged suffering of the civilian population. I therefore reiterate the call of the Secretary-General to the Government of the Sudan and the SLA/Abdul Wahid to cease hostilities immediately in Jebel Marra and to commit to peaceful negotiations, without preconditions.

The stability and recovery of the region is a time-bound process, and it should be based on durable solutions, including for the 2.6 million displaced persons. Security is an essential element in addressing this issue. Persistent insecurity, the presence of militia groups and the threat of the closure of camps and forced returns place internally displaced persons at risk of violence and harassment. In that regard, I am concerned by the Government's continued narrative that displaced persons would need to leave their camps. Such is not possible without durable solutions based on security and the necessary socioeconomic prerequisites for the internally displaced persons and returning refugees to begin new lives in their areas of origin or in whatever location they choose to settle. Within its protection of civilians mandate, UNAMID remains committed to supporting the Government of the Sudan in that regard.

The President (*spoke in Chinese*): I thank Mr. Ladsous for his briefing.

I now give the floor to the representative of the Sudan.

Mr. Mohamed (Sudan) (*spoke in Arabic*): At the outset, allow me to extend our congratulations to you, Sir, on your assumption of the presidency of the Council for this month. I wish also to congratulate your predecessor, the Permanent Representative of Angola, for his wise and effective stewardship of the Council's proceedings last month. Furthermore, I would like to thank the Secretary-General for his report (S/2016/268). As the report is lengthy, I would ask for your indulgence, Sir, to take the time necessary to comment on its contents.

I had hoped that the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the Secretariat would have assisted the Secretary General by avoiding the inclusion of certain matters. We are surprised to see certain paragraphs of the report that are in clear contradiction of incontestable facts. We see, in the assessment of the national dialogue currently under way in the Sudan, an obvious contradiction between certain paragraphs of the report and the statements made by the Head of the African Union, the Special Envoy of the Secretary-General for the Sudan and South Sudan, and the Joint African Union-United Nations Special Representative for Darfur — a situation that causes us consternation.

The report states that,

> "[w]ith the exception of the Popular Congress Party ... all major opposition parties ... as well as major Sudanese armed movements, continue to boycott the process." (*S/2016/268, para. 20*)

That conclusion reached in the report, which is presented in the name of the Secretary-General, runs counter to the statement delivered by the Secretary-General himself on 28 March, in which he invited those who had rejected the dialogue to join it, as well as the road map agreement proposed by the African Union High Level Implementation Panel. Not only does that necessitate denunciation, Sir, it also requires investigation. Our faith and trust in the Secretary-General requires that we call upon him to take this matter seriously.

The overwhelming majority of the Sudanese parties — approximately 81 of them — including the armed movements as well as the majority of the Sudanese people, who do not belong to any political party, took part in the national dialogue. The President of the Republic is obliged to implement the recommendations that the participants adopted unanimously — or nearly so, by a 90 per cent majority — as binding resolutions. Such an important matter cannot be subject to individual political whims because such would lead only to continued conflict. It would also give the armed

movements a license to continue to commit acts that lead to the deterioration of the security situation, and to target and kill civilians. In that connection, I would like to stress that the Sudan Liberation Army/Abdul Wahid (SLA/AW), as per paragraph 36 of the report, launched an attack with heavy weapons on 1 January against UNAMID forces near the Kutum region. We possess documented evidence that Abdul Wahid and his movement threatened to kill citizens in Jebel Marra if they refused to pay the ransom imposed on them under duress. We have audiovisual documentation of that incident, and can transmit that to you, Mr. President.

No dialogue anywhere in the world should serve as an instrument for criminals. Regretfully, we note that all noble endeavours being made to overcome infighting in Darfur, including the Doha Document for Peace in Darfur, which belongs to the United Nations and the entire international community, including the national dialogue, are being sacrificed and questioned. That should — rather must — come to an end.

Most of the contents of this report visibly and indelibly clash with the conclusions of the two technical meetings between the Government of the Sudan and UNAMID, held in Khartoum on 13 January and 23 February. That leads us to demand complete transparency with regard to the preparation of this report. The offices of the Department of Peacekeeping Operations and the Department of Field Support ought to advise us on the stages of preparation of the report, as well as on the role of the Secretariat in New York. That is the only way to eliminate those contradictions.

Sir, you have already seen how the practical agreement on the exit strategy elaborated by the joint tripartite panel composed of the Government of the Sudan, the African Union and the United Nations has been thwarted here in New York. In the light of such evidence, you would excuse us, Sir, if we felt that there is a hidden agenda behind the continued presence of UNAMID that is contrary to the provisions of resolution 1769 (2007), which authorized and mandated its establishment.

Throughout Darfur, large numbers of internally displaced persons (IDPs) have managed to return to their villages and to cultivate and harvest their crops. To date, 300 IDPs have returned to their places of origin, and preparations are under way for the return of 100,000 IDPs to their villages in East and West Darfur. I should like briefly to shed light on the displacement of citizens as a result of armed Abdul Wahid movement activity in the area of Jebel Marra, which is located next to two other areas in West Darfur. The report states that there was displacement from that region. Unfortunately, while the report refers to an area — Darfur — that is equal in size to the Republic of France, it makes no mention whatsoever of the cases of repatriation to which I have just referred.

With regard to Jebel Marra, by way of example, we would like to recall that in a statement on 18 February, the United States Department of State asserted that initial attacks by the rebel Abdul Wahid movement had prompted a response by the Sudanese armed forces. Control by Abdul Wahid over the livelihoods of Sudanese citizens in Jebel Marra has ended, and the roads have been opened between Jebel Marra and other main areas in Darfur as well as other parts of the Sudan. For the first time in 13 years, primary-school students sat for general examinations. Levies have ceased to be paid. So I would like to know how this could possibly clash with the objectives of the United Nations. How does this run counter to international law and its categorical provisions, and how does this contravene the Doha Document for Peace in Darfur? Is there any cogent justification for such a report to place the Government of the Sudan, whose people exercise their sovereignty through it, on a par with an armed movement that uses terrorism and violence to achieve its political goals, and invite both of them to seek a peaceful settlement?

We categorically reject the contents of paragraph 16 of the report, on the Sudanese judiciary. The Sudanese judiciary has taken a number of exceptional measures with regard to the five states of Darfur. It redeployed judges in the municipalities that had suffered from insecurity. It also carried out a project involving a prosecutor for each municipality, with the intent of extending justice throughout Darfur. The judiciary cooperated with UNAMID and provided it with information and statistics as per the contents of paragraph 63 of the report.

This could be a perfect opportunity for the Council to ensure that UNAMID does not allow its personnel to enjoy impunity in the criminal cases that we reported to them by memorandums from the Permanent Mission of the Sudan in New York, as well as in the briefings we made to the UNAMID representative at our last two meetings in Khartoum, in January and February. We do not want to address this any further. However, if the

Department of Peacekeeping Operations asks us to do so, we will definitely comply.

We wish to express our concern over the frequent references contained in the report to the racial dimension of the conflict in Darfur. This can only lead to interference and to the fuelling and intensifying of feelings of hatred. All the people of Darfur without exception suffer from the horrendous climate degradation afflicting Africa's western coasts up to the Sudan. Along the same lines, the conflict is integrally connected with the various means of livelihood. For instance, according to the report, shepherds are fighting with farmers.

Here we would like to thank the European Union for its recently announced endeavours to cooperate with the Government of the Sudan with a view to achieving stability, particularly in Darfur. That is why we believe that the negative references contained in the report stand in the way of accomplishing that goal and only deepen the conflict.

In conclusion, despite the inaccurate information contained in many of the report's paragraphs, it cannot avoid mentioning the positive developments emanating from the conclusion and implementation of the Doha peace agreement, and does so in the following paragraphs.

First, in paragraph 2, it points to the decrease in intercommunal conflicts; secondly, in paragraph 35, it mentions the reduction in the number of criminal attacks and the increasing coordination between security agencies and UNAMID in pursuing the perpetrators of attacks against UNAMID; thirdly, in paragraph 40, it refers to the release of all containers in Port Sudan by 29 February.

Here we would like to make an important remark: that progress in releasing the containers is contingent upon the resumption of technical cooperation in Khartoum and the regular holding of technical meetings between the relevant Government organs and UNAMID in Khartoum, which we requested last year upon reviewing UNAMID's third report for 2015.

Fourthly, paragraph 41 notes that criminal attacks against humanitarian organizations decreased to a great extent during the reporting period; fifthly, paragraph 56 touches on efforts to protect human rights; and sixthly, and lastly, the national human rights commission is setting up branches in the states of Darfur.

The President (*spoke in Chinese*): I now invite Council members to informal consultations to continue our meeting on the subject.

The meeting rose at 10.35 a.m.